

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EDWARD ALBERT STENBERG,

Plaintiff,

Case No. 20-cv-10674

Hon. Matthew F. Leitman

v.

CORIZON MEDICAL SERVICES, *et al.*,

Defendants.

**ORDER (1) GRANTING PLAINTIFF’S MOTION TO APPOINT COUNSEL
(ECF No. 10), (2) CONDITIONALLY APPOINTING COUNSEL, AND (3)
STAYING CASE PENDING THE APPOINTMENT OF COUNSEL**

Plaintiff Edward Albert Stenberg is a state prisoner in the custody of the Michigan Department of Corrections. On March 12, 2020, Stenberg filed this *pro se* prisoner civil-rights action in which he brings claims arising out of medical treatment that he received while incarcerated. (*See* Compl., ECF No. 1.) Stenberg has filed several motions, including a motion for a preliminary injunction. (*See* Mot., ECF No. 3.) Stenberg has also filed a motion in which he requests that the Court appoint him *pro bono* counsel. (*See* Mot. to Appoint Counsel, ECF No. 10.) In that motion, Stenberg tells the Court that his medical conditions, including Parkinson’s Disease, hepatic encephalopathy, and “end stage liver disease,” have made it nearly “impossible” for him to prosecute his claims on his own. (*Id.*, PageID.149-150.) Stenberg also says that because he is “held in the infirmary” due to his medical

conditions, he is prevented from visiting the law library at the Woodland Correctional Facility. (*Id.*)

Unlike criminal cases, there is no constitutional or statutory right to the appointment of counsel in civil cases. See *Lavado v. Keohane*, 992 F.2d 601, 605-606 (6th Cir. 1993). However, this district has a procedure in which cases are referred to a Pro Bono Committee that requests members of the bar assist in appropriate cases. The Court believes that Stenberg would benefit from the assistance of appointed pro bono counsel and that pro bono counsel would help clarify the issues in dispute in this action.

Accordingly, the Court **REFERS** this case to the Pro Bono Committee with instructions to appoint pro bono counsel for Stenberg in this action as soon as possible. Stenberg's motion to appoint counsel (ECF No. 10) is therefore **GRANTED**, and Steinberg is conditionally granted the appointment of counsel provided that the committee is successful in enlisting pro bono counsel for him. If the committee is unsuccessful, counsel will not be appointed and Stenberg will need to proceed *pro se* or retain counsel at his own expense.

In the interim, and until such time as the Pro Bono Committee either appoints counsel or determines that counsel cannot be appointed, this case is **STAYED**. The Court recognizes that this stay will temporarily delay the adjudication of Stenberg's pending preliminary injunction motion. However, because it appears that Stenberg

is receiving some treatment and/or pain relief (*see* Resp. to Mot. for Preliminary Injunction, ECF No. 7), and because Stenberg has requested that the Court appoint him counsel, the Court concludes that a brief stay while the Pro Bono Committee attempts to find counsel for Stenberg will not be unduly prejudicial.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: June 25, 2020

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on June 25, 2020, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
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